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**City Council Regular Meeting Minutes**

**Monday, June 10, 2019  
7:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes as presented June 24, 2019.***

**1. CALLED TO ORDER AND ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:10 p.m. and led the Pledge of Allegiance.

**ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph “Val” Valfre; Malynda Wenzl; and Mayor Peter Truax.

**STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Michael Kinkade, Fire Chief; Bryan Pohl, Community Development Director; Gregory Robertson, Public Works Director; Colleen Winters, Library Director; James Reitz, Senior Planner; and Anna Ruggles, City Recorder.

**2. CITIZEN COMMUNICATIONS: None.**

**3. CONSENT AGENDA:**

Items under the Consent Agenda are considered routine and are adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

- A. Approve City Council Executive Session (City Manager Performance Evaluation) Meeting Minutes of May 28, 2019.
- B. Approve City Council Work Session (Light and Power Solar Feasibility Study) Meeting Minutes of May 28, 2019.
- C. Approve City Council Regular Meeting Minutes of May 28, 2019.
- D. Accept Planning Commission Meeting Minutes of May 6, 2019.
- E. Accept Sustainability Commission Meeting Minutes of April 25, 2019.
- F. Community Development Department Monthly Building Activity Informational Report for May 2019.

**MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to approve the Consent Agenda as presented. MOTION CARRIED 7-0 by voice vote.**

4. **ADDITIONS/DELETIONS:** None.

5. **PRESENTATIONS:**

5. A. *Engineering/Public Works Update*

Robertson presented a PowerPoint presentation update of the Department's completed projects and the planning statuses of current projects. In conclusion of the above-noted presentation, Robertson addressed various Council inquiries pertaining to the sidewalk improvement program; ADA improvements; street overlay program; and the concept design for 21<sup>st</sup> Avenue/Main Street intersection.

5. B. *Second Annual Severe Rent Burden Meeting Report*

Pohl presented a PowerPoint presentation summarizing the Second Annual Severe Rent Burden Meeting held on May 14th, noting staff presented the Housing Needs Analysis data at the meeting. Pohl noted approximately 15 people attended, including several people who attended the first meeting held on December 5<sup>th</sup>. In response to various Council inquiries, Pohl advised he would provide follow-up information to Council the next time staff gives an update, such as the number of households in Forest Grove that are moderately (25%) to severely (more than 50%) cost-burdened households as well as examples of the housing costs.

6. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-05 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLES 1 INTRODUCTION AND PROCEDURES, 2 LAND USE REVIEWS, 3 ZONING DISTRICTS, 5 SPECIAL PROVISIONS, 7 MISCELLANEOUS PROVISIONS, 8 GENERAL DEVELOPMENT STANDARDS, AND 12 USE CATEGORIES AND DEFINITIONS; AND REPEALING ORDINANCE NO. 2009-08; FILE NUMBER 311-19-000002-PLNG**

**Staff Report:**

Reitz and Pohl presented the above-proposed ordinance for first reading, noting the proposed ordinance is amending Development Code, Title XVII, Article 1, Introduction and Procedures; Article 2, Land Use Reviews; Article 3, Zoning District; Article 5, Special Provisions; Article 7, Miscellaneous Provisions; Article 8, General Development Standards; and Article 12, Use Categories and Definitions; and Repealing Ordinance No. 2009-08; File No. 311-19-000002-PLNG. Reitz presented a PowerPoint Presentation summarizing the proposed code amendments as outlined below:

1. Add Housing Types in the Commercial and Town Center zones, which is not currently listed in the Development Code.
2. Revise Bed and Breakfast Inns (B&B) regulations to reduce the number of allowable guest rooms from 27 to 10, and require a Type II review process for more than five guest rooms.
3. Remove the Domesticated Fowl code and relocate to City Code Title IX, General

Regulations, Chapter 93 *Animals*.

4. Eliminate the length of stays in Recreational Vehicle (RV) Parks (to comply with current State statute). Code currently limits RV stays to 30 days or less for any one year.
5. Amend Accessory Dwelling Units (ADU) standards (to comply with current State statute) to include a manufactured home. This would prohibit manufactured home as ADU within historic districts and prohibit converted shipping containers as an ADU.
6. Provide additional Incentives to increase Residential Density.
7. Update Signs Code §17.8.00 through 17.8.875, to remove the prohibition of off-premise signs (conflicts with First Amendment), and adopt new sign-related regulations for Feather Banner and Air-Blown Device. Allow Monument signs in the Town Center Transition zoning district.

In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council approve the proposed ordinance, as outlined in Exhibit A, Exhibit B, Signs Code, and Exhibit C, Planning Commission Findings and Decision No. 2019-06, noting the Planning Commission approved the proposed code amendments on May 1, 2019.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-05 for first reading.

VanderZanden read Ordinance No. 2019-05 by title for first reading.

**MOTION: Council President Johnston moved, seconded by Councilor Wenzl, to adopt Ordinance No. 2019-05 Amending Forest Grove Development Code Articles 1 Introduction and Procedures, 2 Land Use Reviews, 3 Zoning Districts, 5 Special Provisions, 7 Miscellaneous Provisions, 8 General Development Standards, and 12 Use Categories and Definitions; and Repealing Ordinance No. 2009-08; File No. 311-19-00002-PLNG.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Council Discussion:**

In response to various Council inquires pertaining to the definition and provisions regulating RV parks, Reitz advised he would provide follow-up information to Council at the next meeting regarding the definition of RV Park (ORS 197.493) and whether or not the Elks Lodge (2810 Pacific Avenue) is in compliance with that definition as well as the provisions.

**Public Hearing Continued:**

Hearing no further concerns from the Council, Mayor Truax continued the Public Hearing to June 24, 2019.

**7. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-06 REPEALING ORDINANCE NO. 2004-08, FOREST GROVE CODE CHAPTER 33 (REGULATORY MEASURE 37 CLAIMS PROCEDURE) IN ITS ENTIRETY AND ADOPTING FOREST GROVE CODE, TITLE IX (GENERAL REGULATIONS), CHAPTER 93 (§93.01 THROUGH §93.04), DOMESTICATED FOWL; AND AMENDING FOREST GROVE CODE §90.25 (B); FILE NO. 311-19-000002-PLNG**

**Staff Report:**

Reitz and Pohl presented the above-proposed ordinance for first reading, noting the proposed ordinance is repealing Ordinance No. 2004-08, Forest Grove Code Chapter 33 (Regulatory Measure 37 Claims Procedure) in its entirety; adopting Forest Grove Code, Title IX (General Regulations), Chapter 93 (§93.01 Through §93.04), Domesticated Fowl; and amending Forest Grove Code §90.25(B), Tree Nuisance, to correct a housekeeping typographical error; File No. 311-19-000002-PLNG. Reitz presented a PowerPoint Presentation summarizing the proposed code amendments, noting as a result of Ballot Measure 37 (2004) being repealed and amended by Ballot Measure 49 (2007) it is no longer applicable and is being repealed in its entirety, and the Domesticated Fowl regulation in the Development Code is being repealed and being replaced in Chapter 93, Animals, which is the appropriate codification for this type of regulation. The Planning Commission also recommended reducing the age of fowl to three (3) ~~six (6)~~ months as meat harvesting occurs at about three months of age. Staff also is proposing to add violation penalties and abatement procedures as set forth in the code for similar types of regulations. In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council approve the proposed ordinance, as outlined in Exhibit A, noting the Planning Commission approved the proposed code amendments on May 1, 2019.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-06 for first reading.

VanderZanden read Ordinance No. 2019-06 by title for first reading.

**MOTION:** Councilor Valfre moved, seconded by Councilor Rippe, to adopt Ordinance No. 2019-06 Repealing Ordinance No. 2004-08, Forest Grove Code Chapter 33 (Regulatory Measure 37 Claims Procedure), in its entirety and Adopting Forest Grove Code, Title IX (General Regulations), Chapter 93 (§93.01 through §93.04), Domesticated Fowl; and Amending Forest Grove Code §90.25(B); File No. 311-19-000002-PLNG.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Continued:**

Hearing no further concerns from the Council, Mayor Truax continued the Public Hearing to June 24, 2019.

**8. PUBLIC HEARING AND RESOLUTION NO. 2019-24 SETTING FEES AND CHARGES (3% INCREASE), EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-53**

**Staff Report:**

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase fees and charges, excluding building permit fees, by three percent (3%), effective July 1, 2019. Downey highlighted the following updates to the fee schedules: 1) Permit to Construct Public Improvements fee is being retitled to Public Improvements Review and Inspection Fee to more accurately reflect the purpose of the fee; 2) Water Stand-by Services Fees are being move to the Water Rate Schedule; and 3) WCCLS Processing Fee has been deleted as WCCLS no longer charges the fee. In addition, Downey reported staff is putting together a fee book that will have all of the fees, rates, and charges in one document, which will be made available on the City's website later this summer. In conclusion of the above-noted staff report, Downey advised based on Fiscal Year 2019-20 budget proposal, staff is not recommending any increases to the building permit fees, noting

the proposed resolution is setting Planning Fees as outlined in Exhibit 1, and setting other fees and charges as outlined in Exhibit 2, effective July 1, 2019.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-24.

VanderZanden read Resolution No. 2019-24 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-24 Setting Fees and Charges, Effective July 1, 2019, and Repealing Resolution No. 2018-53.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

- 9. PUBLIC HEARING AND RESOLUTION NO. 2019-25 ADOPTING NEW LIGHT AND POWER ELECTRIC RATE (4.6% INCREASE) SCHEDULES AND DEFINITIONS AND DESCRIPTIONS FOR THE CITY OF FOREST GROVE, EFFECTIVE AUGUST 13, 2019, AND REPEALING RESOLUTION NO. 2018-14**

**Staff Report:**

Downey and Hormann presented the above-proposed resolution for Council

consideration, noting the proposed resolution is requesting to increase Light and Power (L&P) electric rates to achieve an average of 4.0 percent (4%) rate increase, effective for services provided on or after August 13, 2019. Downey reported the 2019 rate study projected a 4% rate increase through 2026, noting based on two Council work sessions held, staff is proposing rate increases by customer service class, which will narrow the gap between revenue generated and costs allocated to each customer service class. Staff is proposing the Residential and General Service Classes increase by 4.6% and Large Commercial/Industrial Class increase by 3%. Other small classes of service, such as irrigation, rental lighting and street lighting, are proposed to increase by 4%. Downey referenced a comparison chart, which compared estimated residential bills between the City and other utility providers and presented a summary showing an Average Single-Family Residence, Total – All Utilities (proposed increases to Electricity \$3.97; Water \$0.78; City/CWS Sewer \$1.39 and City/CWS SWM \$0.54) totaling a current cost of \$184.04 and a proposed cost of \$190.72, for an overall increase of \$6.68 (3.6%). In conclusion of the above-noted staff report, Downey and Hormann referenced the proposed L&P rate schedules (Exhibit A), noting an average residential energy bill (estimated at 1,100 kilowatt hours per month) would increase by \$3.97 from \$87.11 in 2018 to \$91.08 in 2019, of which \$18.87 is the customer charge and \$69.07 is the energy charge.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-25.

VanderZanden read Resolution No. 2019-25 by title.

**MOTION: Councilor Uhing moved, seconded by Councilor Valfre, to approve Resolution No. 2019-25 Adopting New Light and Power Department Electric Rates (4.6% Increase), Effective August 13, 2019, and Repealing Resolution No. 2018-14.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony:**

The following written testimony was submitted in opposition of the proposed utility rate increases:

- 5 e-mails (Robin Davis, Stephen Webber, Bryan Luciani, Roy Woo and Charlene Hostynek);
- 1 petition letter signed by 10 residents (Rubena Sheppard, Debra Roger, Dave Snook, Kim Larson, Jamie Turnbull, Eva Andrade Avalos, Amber Clark, William Larrimore, Ann Cullen and Dinah Sackett), and
- 1 letter (Lin Vanderzanden) dated 06/10/2019 was submitted too late for the meeting and it was sent to Council the following date.

**Proponents:**

No one testified and no other written comments were received.

**Opponents:**

Margaret Ledford, FG, submitted written testimony and testified in opposition of the proposed utility rate increases. Ledford, who is disabled, voiced concern that this year's combined increases would total 17.1%. In addition, Ledford suggested implementing a tiered program for seniors and low-income residents.

No one else testified and no other written comments were received.

**Others:**

No one else testified and no other written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

In response to testimony heard pertaining to the percentage of the proposed rate increases, Downey referenced a chart and explained how cumulative percentages are calculated, noting the total increase for all utilities is \$6.68 per month, 3.6% more per month, not 17%. Downey noted staff would do a better job of clarifying the anticipated rate increases per month and providing a break-down of rates imposed by the City and rates collected by the City but imposed by other entities, such as Clean Water Services.

Uhing indicated she struggles every year when rate increases occur, noting the City provides safe and quality services that must be maintained. In addition, Uhing concurred that Council needs to have a deeper conversation regarding rates for low-income residents.

Valfre echoed the same concerns, noting a much better job could be done so that the ratepayers have a better understanding.

Rippe indicated having a city-owned utility allows the City to control operational costs based on actual costs and not for-profit (market rate), noting raising rates is a very sensitive issue.

Council President Johnston indicated that PGE rates apply to the rest of the residents residing in Washington County, noting city residents pay a lower rate than PGE (Forest Grove is currently \$87.11 and PGE is \$135.82). In addition, Johnston reported the City set aside a budget allocation annually (\$75,000) to assist residents with utility bills when it is needed.

Mayor Truax gave examples of how cumulative percentages are calculated, noting the total increase in costs for all utilities combined is \$6.68 more per month or 3.6%, which is a reasonable increase. In addition, Mayor Truax reported the Council holds prior discussions and does not take raising rates lightly, noting if the City were to move from cost-based to market-rate, it would hurt Forest Grove significantly.

Hearing no further concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

**10. PUBLIC HEARING AND RESOLUTION NO. 2019-26 FIXING WATER RATES (2% INCREASE) FOR THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-50**

**Staff Report:**

Robertson and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase water rates by a system-wide average of two percent (2%), effective July 1, 2019. Downey reported staff is proposing to lower the forecasted rate increase from 3.5% to 2% to cover increasing operational costs while the master plan is being completed and the rate analysis is updated. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting for an average single-family residential user using 7,000 gallons of water per month, the proposed rate increase is about \$0.78 per month.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-26.

VanderZanden read Resolution No. 2019-26 by title.

**MOTION: Councilor Rippe moved, seconded by Council President Johnston, to adopt Resolution No. 2019-26 Fixing Water Rates for the City of Forest Grove, Effective July 1, 2019, and Repealing Resolution No. 2018-50.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

Mayor Truax referenced the written testimony received, which was noted above.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

Mayor Truax referenced the oral testimony heard, which is noted above.

No one else testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

**11. PUBLIC HEARING AND RESOLUTION NO. 2019-27 ESTABLISHING SANITARY SEWER UTILITY RATES (2% INCREASE) FOR CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-51**

**Staff Report:**

Robertson and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase the City sanitary sewer utility rate by two percent (2%) per month per equivalent dwelling unit (EDU), effective July 1, 2019. Downey reported Clean Water Services (CWS) is requiring jurisdictions to set their own local rates separately from the regional rates, noting staff has prepared a pass-through resolution for Council consideration that allows the City to bill the rates on behalf of CWS. Downey reported CWS is proposing increases to its regional sanitary sewer utility rates (3%) and sanitary sewer system development charges (SDC) (\$150 from \$5,650 to \$5,800 per EDU), effective July 1, 2019. The City retains 20% of the sanitary sewer SDC as set forth by CWS. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the City's sanitary sewer rate will be a Monthly Base Charge of \$9.10 per EDU and a Use Charge of \$0.442 per 1,000 gallons per month for individual customer winter average. For a typical residential consumption of 8ccf or 5,894 gallons per month of winter water usage, the proposed sewer rate increases by CWS and City is about \$1.39 per month per EDU.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-27.

VanderZanden read Resolution No. 2019-27 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-27 Establishing Sanitary Sewer Utility Rates for the City of Forest Grove, Effective July 1, 2019, and Repealing Resolution No. 2018-51.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

Mayor Truax referenced the written testimony received, which was noted above.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

Mayor Truax referenced the oral testimony heard, which is noted above.

No one else testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

**12. PUBLIC HEARING AND RESOLUTION NO. 2019-28 ESTABLISHING SURFACE WATER MANAGEMENT RATE (5.5% INCREASE) FOR CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-52**

**Staff Report:**

Robertson and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase the City surface water management (SWM) rate by 5.5 percent (\$0.42 per EDU per month), effective July 1, 2019. Downey reported CWS is requiring jurisdictions to set their own local rates separately from the regional rates, noting staff has prepared a pass-

through resolution for Council consideration that allows the City to bill the rates on behalf of CWS. Downey reported CWS is proposing increases to its regional SWM rate (5.5%) and SWM SDC (\$15 from \$545 to \$560 per EDU), effective July 1, 2019. Downey advised the City's costs are increasing in the SWM Fund due to reallocation of labor costs for Public Works staff based on actual time spent working on SWM activities and two major capital improvement projects (repair a culvert at Hawthorne Street and repair a slide at Forest Glen Park). In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the City's monthly SWM rate will increase from \$7.52 to \$7.94 per month per EDU for a residential customer.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-28.

VanderZanden read Resolution No. 2019-28 by title.

**MOTION:** Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-28 Establishing Surface Water Management Rate for the City of Forest Grove, Effective July 1, 2019, and Repealing Resolution No. 2018-52.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

Mayor Truax referenced the written testimony received, which was noted above.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

Mayor Truax referenced the oral testimony heard, which is noted above.

No one else testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

13. **RESOLUTION NO. 2019-29 ACCEPTING CLEAN WATER SERVICES SANITARY SEWER UTILITY RATES; SURFACE WATER MANAGEMENT RATES; SURFACE WATER MANAGEMENT SYSTEM DEVELOPMENT CHARGES; AND SANITARY SEWER SYSTEM DEVELOPMENT CHARGES, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-66**

**Staff Report:**

Downey presented the above-proposed resolution for Council consider, noting the pass-through resolution is for the purpose of establishing CWS regional rates, effective July 1, 2019. Downey advised City Code 52.01(A), and as governed by the intergovernmental agreement, requires that the City establish CWS rates annually by Council resolution. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed pass-through resolution, noting the CWS Board of Directors will be considering establishing the regional rates in mid-June as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-29.

VanderZanden read Resolution No. 2019-29 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-29 Accepting Certain Clean Water Services (CWS) Sanitary Sewer Utility Rates; Surface Water Management Rates; Surface Water Management System Development Charges; and Sanitary Sewer System Development Charges, Effective July 1, 2019, and Repealing Resolution Nos. 2018-66.**

**Council Discussion:**

In response to various Council concerns pertaining to CWS establishing its rates in mid-June, Downey explained if the rates change, the City is still required to collect the established rates as a pass-through.

Hearing no further concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

14. **RESOLUTION NO. 2019-30 ACCEPTING THE PUBLIC ARTS COMMISSION (PAC)**

## **STRATEGIC PLAN 2019-2021**

### **Staff Report:**

Winters presented the above-proposed resolution for Council consideration, noting the above-proposed resolution is requesting to accept the “Public Arts Commission (PAC) Strategic Plan 2019-2021”. Winters reported the PAC used the Strategic Planning in Nonprofits (SPIN) as a tool for developing its Plan, noting the PAC formally approved the Plan on December 13, 2018, for Council consideration. In conclusion of the above-noted staff report, Winters advised staff is recommending Council approve the proposed resolution as outlined in Exhibit A, noting a presentation was made to Council on May 28, 2019.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-30.

VanderZanden read Resolution No. 2019-30 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Wenzl, to adopt Resolution No. 2019-30 Accepting the Public Arts Commission Strategic Plan 2019-2021.**

### **Council Discussion:**

Rippe advised when the presentation was made on May 28, 2019, he voiced concerns pertaining to Objective, Strategic Priority 2, providing funding to support Professional Development opportunities for artists. Rippe voiced concern that the PAC is currently an advisory committee, and not a nonprofit, noting he needs to understand the PAC’s plan, which has not been addressed in the staff report. In response to Rippe’s concerns, Winters advised the PAC has not met; however, she will communicate concerns and report back to Council.

Council President Johnston reported the PAC cannot use Community Enhancement Program Grant funds for professional development, noting the PAC has been discussing about starting a foundation.

Uhing concurred that the PAC needs to commit to implementing strategies based on their current status as an advisory committee and not as a non-profit.

Hearing no further concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: Councilor Rippe. MOTION CARRIED 6-1.**

## 15. **RESOLUTION NO. 2019-31 AUTHORIZING THE CITY MANAGER TO EXECUTE**

**AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FOREST GROVE, A MUNICIPAL CORPORATION OF THE STATE OF OREGON, BY AND THROUGH ITS FIRE DEPARTMENT (“GRANTEE”), AND THE FOLLOWING: THE CITY OF HILLSBORO, BY AND THROUGH ITS FIRE DEPARTMENT; THE CITY OF CORNELIUS, BY AND THROUGH ITS FIRE DEPARTMENT; TUALATIN VALLEY FIRE AND RESCUE; BANKS FIRE DISTRICT NO. 13; CORNELIUS RURAL FIRE PROTECTION DISTRICT; FOREST GROVE RURAL FIRE PROTECTION DISTRICT; GASTON RURAL FIRE PROTECTION DISTRICT**

**Staff Report:**

Fire Chief Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute an Intergovernmental Agreement (IGA) for Regional Self-Contained Breathing Apparatus (SCBA) as required for applying for the Assistance to Firefighters Grant of \$2,999,000 from the U. S. Department of Homeland Security. Kinkade reported all the above-mentioned jurisdictions are in need of standardized, interoperable replacement apparatus that will protect regional firefighters. The City (Grantee, host) will apply for the grant and will coordinate with all Parties (Subrecipients) for apportion of monies should the grant be awarded. Kinkade noted if successful, the grant will save jurisdictions \$2,726,000. Forest Grove would save approximately \$288,000, with \$32,670 matching cost (10% of which would be split between the City and Forest Grove Rural Fire Protection District), which would allow replacing 45 packs, 105 bottles and 72 masks. In conclusion of the above-noted staff report, Kinkade advised staff is recommending Council approve the proposed resolution as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-31.

VanderZanden read Resolution No. 2019-31 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-31 Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) Between the City of Forest Grove, a Municipal Corporation of the State of Oregon, by and through its Fire Department (“Grantee”), and the Following: The City of Hillsboro, by and through its Fire Department; The City of Cornelius, by and through its Fire Department; Tualatin Valley Fire and Rescue; Banks Fire District No. 13; Cornelius Rural Fire Protection District; Forest Grove Rural Fire Protection District; Gaston Rural Fire Protection District.**

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the

above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

*Council President Johnston announced that he would recused himself due to a conflict of interest. Johnston left the dais at 9:56 p.m. and he did not participate in the discussion or vote on Agenda Item 16 below.*

16. **RESOLUTION NO. 2019-32 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FOREST GROVE, THE CITY OF CORNELIUS, AND THE GASTON RURAL FIRE PROTECTION DISTRICT FOR THE PROVISION OF SHARED LOGISTICS TECHNICIAN SERVICES**

**Staff Report:**

Fire Chief Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute an Intergovernmental Agreement (IGA) for the provisions of shared Logistics Technician Services for the Fire Department. Kinkade reported under the proposed cost formula, Forest Grove would employ a 1.0 FTE logistic technician with total compensation costs shared equitably by the three agencies: Forest Grove will contribute 55%; Cornelius will contribute 35%; and Gaston Rural Fire Protection District will contribute 10%. In conclusion of the above-noted staff report, Kinkade advised staff is recommending Council approve the proposed resolution as outlined in Exhibit A, noting the cost formula was discussed and approved by Forest Grove Budget Committee for Fiscal Year 2019-20.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-32.

VanderZanden read Resolution No. 2019-32 by title.

**MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-32 Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) Between the City of Forest Grove, the City of Cornelius, and the City of Gaston Rural Fire Protection District for the Provision of Shared Logistics Technician Services.**

**Council Discussion:**

In response to various Council inquiries and scenarios pertaining to Forest Grove's obligations and how the cost formula was determined, Kinkade explained the logistics technician will be an employee of Forest Grove and perform shared services, noting the total compensation, including benefits, were divided based on the workload

analysis. Kinkade added he would track actual time spent to determine if the percentages need to be reevaluated and to ensure costs are shared equally among the three agencies.

Hearing no further concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. ABSTAINED: Council President Johnston. MOTION CARRIED 6-0.**

*Council President Johnston returned to the dais at 10:01 p.m.*

**17. CITY COUNCIL COMMUNICATIONS:**

Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting.

**18. City Manager's Report:**

Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting.

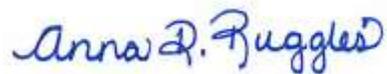
**19. Mayor's Report:**

Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting.

**20. ADJOURNMENT:**

Mayor Truax adjourned the regular Council meeting at 10:10 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder